

**NATIONAL PHASE  
UTILITY APPLICATION**  
**Transmittal to the (DO/EO/US)**  
**Under 35 USC 371**

Attorney Docket No.: DAIRY88.019APC  
First Named Inventor: Peter Dudley Elston  
Int'l Application No.: PCT/NZ2004/000289  
Int'l Filing Date: November 15, 2004  
Priority Date Claimed: November 14, 2003  
Title: DAIRY PRODUCT AND PROCESS  
Express Mail Label No.: EV 848541951 US

10/579089

**Direct all correspondence to Customer No.: 20995**Date: May 12, 2006  
Page 1 of 2**Mail Stop PCT**

United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria VA 22313-1450

The following enclosures are transmitted herewith to be filed in the patent application of:

**Inventors:**

1. Peter Dudley Elston
2. Robbie John Buwalda
3. Daniel Smith
4. Graham Peter Davey
5. Warren John Fitzsimons

**APPLICATION ELEMENTS:**

- (X) This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
- (X) A copy of the International Application as published (35 U.S.C. § 371(c)(2)) is attached hereto.
- (X) An English translation of the International Application as filed is not required.
- (X) A copy of the International Application as filed (35 U.S.C. § 371(c)(2)) has been communicated by the International Bureau.

**OTHER APPLICATION PARTS:**

- (X) Preliminary Amendment in 12 pages.
- (X) International Search Report in 4 pages.
- (X) Return prepaid postcard.

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Page 2 of 2

**FILING FEES:**

| FEE CALCULATION  |   |              |                      |                |
|--|---|--------------|----------------------|----------------|
| FEE TYPE & DETERMINATION                                   |   | LARGE FEE    | CALCULATION          | TOTAL          |
| Basic Filing Fee under 1.492(a)                            |   | 1631 (\$300) |                      | \$300          |
| Search Fee under 1.492(b) (enter one in TOTAL column)      |   |              |                      |                |
| (1)  | USPTO was ISA/IPEA & claims satisfy Art. 33 (1)-(4) | 1640 (\$0)   |                      | \$400          |
| (2)  | USPTO was the ISA (noncompliant claims)             | 1641 (\$100) |                      |                |
| (3)  | Foreign Search Report Enclosed                      | 1642 (\$400) |                      |                |
| (4)  | No Search Report Enclosed                           | 1632 (\$500) |                      |                |
| Examination Fee under 1.492(c) (enter one in TOTAL column) |   |              |                      |                |
| (1)  | USPTO was ISA/IPEA & claims satisfy Art. 33 (1)-(4) | 1643 (\$0)   |                      | \$200          |
| (2)  | Non US IPEA or Noncompliant Claims                  | 1633 (\$200) |                      |                |
| Excess Claims  | 62 - 20 = 42  | 1615 (\$50)  | 42 x 50 =            | \$2,100        |
| Excess Ind. Claims   | 4 - 3 = 1   | 1614 (\$200) | 1 x 200 =            | \$200          |
| Multiple Dep. Claim  | 0   | 1616 (\$360) |                      | \$0            |
| Application Size Fee                                       | 29 - 100 = 0  | 1681 (\$250) | 0 x 250 =            | \$0            |
|  |   |              | <b>TOTAL FEE DUE</b> | <b>\$3,200</b> |
| <b>TOTAL FEE PAID (If Different Than Fee Due)</b>          |   |              |                      | <b>\$3,200</b> |

(X) A check in the amount of \$3,200 to cover the Total Fee Due is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.



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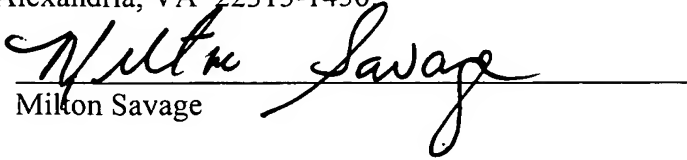
**AP20 Rec'd PCT/PTO 12 MAY 2006**Andrew N. Merickel, Ph.D.  
415-217-8396  
americkel@kmob.comMAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

**Attorney Docket No.** : DAIRY88.019APC  
**Applicant(s)** : Elston et al.  
**For** : DAIRY PRODUCT AND PROCESS  
**Attorney** : Andrew N. Merickel  
**"Express Mail" Label No. :** EV 848541951 US  
**Date of Deposit** : May 12, 2006

I hereby certify that the accompanying

Transmittal letter; International Application as published in 29 pages; Preliminary Amendment in 12 pages; International Search Report in 4 pages; Check(s) for Filing Fee(s); Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Milton Savage2597074  
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